

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: LINTON, Carl E. Confirmation No.: 8998
Serial No.: 10/659,997 Group Art Unit: 3715
Filed: September 11, 2003 Examiner: Jerry-Daryl FLETCHER
FOR: **METHOD AND APPARATUS FOR CYCLIC VARIATIONS IN ALTITUDE CONDITIONING**

U.S. Patent and Trademark Office
Via EFS, Mailstop RCE
Randolph Building
401 Dulany Street
Alexandria, VA 22314

REPLY UNDER 37 C.F.R. 1.114

In response to the final Office Action dated March 9, 2010, and the Notice of Improper Request for Continued Examination dated September 14, 2010, the Applicant submits the following remarks. The Applicant is submitting this Reply along with a Petition to Revive the Application under 35 C.F.R. § 1.137(b).

The Applicant previously submitted the fees for a three month extension of time and a Request for Continued Examination on September 9, 2010. Thus if any of the fees submitted herewith are an overpayment, the Applicant requests that such overpayment be credited to our Deposit Account No. 50-1283. Applicant does not believe that any fees including fees for extensions of time or fees for net addition of claims are required beyond those that are submitted with the electronic filing of this response. However, if extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-1283.

Remarks begin on page 2 of this paper.